

Remarks

Claims 1 and 22 have been amended. Claim 4 has been canceled. Reconsideration of the application in view of the foregoing amendments is respectfully requested.

Response to Arguments

The applicant is urged to amend the independent claims to incorporate the feature of real time renegotiation of a financial instrument, and the resultant benefits of eliminating rate variance and enabling/disabling a selection of renegotiation options based upon a balance of the financial instrument that has expired.

Applicant has amended claim 1 to define the invention as a process for renegotiating a financial instrument in which all the process steps may be performed during a single logical session between a client program and a client interface. Support for this amendment is found in Fig. 2 and related discussion.

Further, the claim has been amended to include the step of disabling from client selection at least one renegotiation option based upon the balance of the expired financial instrument (by incorporating the substance of original claim 4), and that the rate of return is fixed during the logical session. Support for the latter amendment is found in Figs. 14-15, ¶¶ 47-49 of the specification.

Similarly, claim 22 is amended to define the invention as a system that performs the recited steps during a single logical session between a client program and a client interface program, that at least one renegotiation option is disabled from client selection based upon the balance of the expired instrument and that the rate of return is fixed during the logical session.

Response to Claim Rejections

Claims 22, 23-26 and 28-42.

Claim 22, and claims 23-26 and 28-42 that depend from it, are rejected as being incomplete because they omit the elements of a computer-readable medium configured to perform the method steps. Claim 22 has been amended to define the system as including a

computer-readable medium containing a client interface program, housed in an application server, configured to perform the method steps. Support for this amendment is set forth in ¶¶ 31, 32 of the specification and Fig. 1.

Accordingly, Claims 22, and claims 23-26 and 28-42 that depend from it, are not incomplete and should be allowed.

Claims 1-3, 5-7, 9-26 and 28-42.

Claims 1-3, 5-7, 9-26 and 28-42 (claim 4 has been canceled) are rejected because they allegedly are not directed to secondary statutory subject matter/class. The two-prong “machine-or-transformation test” of *In re Bilski*, 545 F.3d 943 (Fed. Cir. 2008), alluded to in the Office action, states that a claimed process “is surely patent-eligible” if it is either (1) tied to a particular machine or apparatus, or (2) transforms a particular article into a different state or thing. It is necessary for a process to meet only one of the two prongs to qualify as statutory subject matter. It is suggested that an amendment to claim 1 that incorporates the limitations of claim 4, and incorporating a real time renegotiation allowing for decreased rate variance would obviate this rejection of the second prong.

Accordingly, claim 1 has been amended to incorporate the limitations of claim 4 and incorporate a real time renegotiation allowing for decreased rate variance.

Claims 22, 23-26 and 28-42 (as currently amended) are directed to a system that comprises an application server housing a computer-readable medium connected to establish a logical session with a client program. As such, these claims define a “machine” and therefore are statutory. It is noted that the discussion provided in the Office action is directed solely to process claims.

Nevertheless, claim 22 has been amended to include a system capability of disabling from selection by the client at least one renegotiation option based upon a balance of the first financial instrument, and the renegotiation function is accomplished during a single logical session that enables the rate of return to be fixed during that logical session.

Accordingly, claims 1-3, 5-7, 9-26 and 28-42 define statutory subject matter and should be allowed.

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Amendment

In view of the foregoing amendments, all claim rejections should be withdrawn. The application is now in condition for allowance and formal notice thereof is respectfully solicited.

The Commissioner is hereby authorized to treat any paper that is filed in this application that requires an extension of time as incorporating a request for such an extension. The Commissioner is further authorized to charge any fees required by this paper or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,

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